

**SUPREME COURT MINUTES
THURSDAY, JANUARY 10, 2008
SAN FRANCISCO, CALIFORNIA**

S159702 B204106 Second Appellate District, Div. 1 **ANDALEX RESOURCES, INC. v.
LOS ANGELES DEPARTMENT
OF WATER & POWER**

Petition for review and application for stay denied

S089463 **LAWLEY (DENNIS HAROLD)
ON H.C.**

Application for stay denied

S134873 A106618 First Appellate District, Div. 2 **HEBREW ACADEMY OF SAN
FRANCISCO v. GOLDMAN
(RICHARD N.)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 21, 2008.

S092615 **PEOPLE v. DEEN (OMAR
RICHARD)**

Extension of time granted

Good cause appearing therefore, the request of the reporters of the superior court for an extension of time to complete the reporter's transcript on appeal is granted. (See Cal. Rules of Ct., rule 8.616(d)(1),(2).) The reporters of the superior court are directed to complete the reporter's transcript on appeal on or before February 5, 2008, and to notify the Clerk of this court in writing as soon as the transcript is completed.

S097886 **PEOPLE v. ZARAGOZA (LOUIS
RANGEL)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to March 7, 2008.

S152667 D047875 Fourth Appellate District, Div. 1 **PEOPLE v. SOPER (JAMES DANIEL)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to February 11, 2008.

S156933 **J. (E.) ON H.C.**

Extension of time granted

On application of respondent Secretary of the California Department of Corrections and Rehabilitation and good cause appearing, it is ordered that the time to serve and file the return to the order to show cause is extended to February 11, 2008.

S157631 **P. (S.) ON H.C.**

Extension of time granted

On application of respondent Secretary of the California Department of Corrections and Rehabilitation and good cause appearing, it is ordered that the time to serve and file the return to the order to show cause is extended to February 11, 2008.

S157633 **S. (J.) ON H. C.**

Extension of time granted

On application of respondent Secretary of the California Department of Corrections and Rehabilitation and good cause appearing, it is ordered that the time to serve and file the return to the order to show cause is extended to February 11, 2008.

S157634 **T. (K.) ON H. C.**

Extension of time granted

On application of respondent Secretary of the California Department of Corrections and Rehabilitation and good cause appearing, it is ordered that the time to serve and file the return to the order to show cause is extended to February 11, 2008.

S145330 **962 SUSPENSION**

Order filed

DAVID ALLEN HIERSEKORN, #237471, was listed by the State Department of Child Support Services as being in arrears in payment of support obligations. He later obtained the necessary release from the appropriate local Child Support agency. He has subsequently been identified by the Department of Child Support Services as again being delinquent. Pursuant to Rule 9.22 of the

California Rules of Court, IT IS HEREBY ORDERED that DAVID ALLEN HIERSEKORN be suspended from membership in the State Bar of California and from the rights and privileges of an attorney to act from and after February 7, 2008; IT IS FURTHER ORDERED that upon receipt by the State Bar of California of a release issued by the appropriate local Child Support agency pursuant to Family Code 17520, the State Bar shall certify the fact of the receipt of such release to the Clerk of the Supreme Court and the suspension shall be terminated by order of this Court and he shall be fully restored to membership in the State Bar of California, and to all rights and privileges, duties and responsibilities incident thereto; IT IS FURTHER ORDERED that until restored as above provided, he shall be precluded from practicing as an attorney at law, or an attorney or agent of another in and before all the courts, commissions and tribunals of this state, and from holding himself out to the public as an attorney or counsel at law.

S151705 C052554 Third Appellate District

**BOARD OF CHIROPRACTIC
EXAMINERS v. S.C. (ARBUCKLE)**

Order filed

The application of real party in interest for permission to file the reply brief on the merits containing 4,882 words that exceeds the 4200-word limit prescribed by California Rules of Court rule 8.520(c) by 682 words is hereby granted.

S157607 B202749 Second Appellate District, Div. 7

BACKES (PERRY) ON H.C.

Order filed

The order filed on December 19, 2007, denying the petition for review is amended to reflect the above-entitled name.

S157967 B191447 Second Appellate District, Div. 6

**RETAMCO OPERATING, INC. v.
PARADIGM OIL, INC.**

Order filed

The order filed on January 3, 2008, denying the petition for review is amended to reflect the title above.

S157874

TAHERIAN ON DISCIPLINE

Petitioner reinstated

Upon petition for reinstatement and recommendation of the State Bar Court, it is ordered that SAMAN TAHERIAN be reinstated as a member of the State Bar of California upon payment of the fees and taking the oath required by law.

S157880**HOANG ON DISCIPLINE**

Recommended discipline imposed

It is ordered that QUINCY N. HOANG, State Bar No. 219421, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for 75 days and until he makes restitution to Christopher Regan in the amount of \$1,405 plus 10 percent interest per annum from July 28, 2006, (or to the Client Security Fund to the extent of any payment from the fund to Christopher Regan, plus interest and costs, in accordance with Business and Professions Code section 6140.5), and furnishes satisfactory proof thereof to the State Bar's Office of Probation in Los Angeles, and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California, as recommended by the Hearing Department of the State Bar Court in its decision filed on August 15, 2007. Any restitution to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d). Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If respondent is actually suspended for two years or more, he must remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) If respondent is actually suspended for 90 days or more, it is further ordered that he comply with rule 9.20 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S157881**JACKSON ON DISCIPLINE**

Recommended discipline imposed

It is ordered that GREGORY LYLE JACKSON, State Bar No. 212265, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 30 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed September 20, 2007. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is ordered that costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10, and be payable in equal installments prior to February 1 with membership fees for the next three billing cycles following the effective date of this order. It is further ordered that if

respondent fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S157883**KOCH ON DISCIPLINE**

Recommended discipline imposed

It is ordered that RICHARD PHILLIPS KOCH, State Bar No. 85740, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on September 19, 2007. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S157885**PIXTON ON DISCIPLINE**

Recommended discipline imposed

It is ordered that JAMES ANDREW PIXTON, State Bar No. 193263, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for thirty days. Respondent is also ordered to comply with the other conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed September 19, 2007. If respondent is actually suspended for two years or more, he must remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice, and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) If respondent is actually suspended for 90 days or more, it is further ordered that he comply with rule 9.20 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S157887**REITZ ON DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that PATRICE A. REITZ State Bar No. 82606 be disbarred from the practice of law and that her name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S158133**TRUONG ON DISCIPLINE**

Recommended discipline imposed

It is ordered that HOA P. TRUONG, State Bar No. 156411, be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for two months. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar in its Order Approving Stipulation filed September 17, 2007. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and one-half of said costs be paid with membership fees for the years 2009 and 2010. It is further ordered that if respondent fails to pay any installment of disciplinary costs within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and payable immediately unless relief has been granted under the Rules of Procedure of the State Bar of California (Rule. Proc. of State Bar, rule 286). The payment of costs is enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S158135**SCHINDLER ON DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that BRENT WILLIAM SCHINDLER State Bar No. 186703 be disbarred from the practice of law and that his name be stricken from the roll of attorneys. It is also ordered that respondent be ordered to make restitution to Alexander McKee in the amount of \$500 plus 10 percent interest per annum from March 24, 2005; to Juanita White in the amount of \$250 plus 10 percent interest per annum from May 31, 2005; to Curtis Cook in the amount of \$10,288.06 plus 10 percent interest per annum from January 19, 2006; and to Patti Christmas in the amount of \$500 plus 10 percent interest per annum from December 31, 2005, (or to the Client Security Fund to the extent of any payment from the fund to Alexander McKee, Juanita White, Curtis Cook or Patti Christmas, plus

interest and costs, in accordance with Business and Professions Code section 6140.5). Any restitution to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivision (c) and (d). Respondent is also ordered to comply with rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S158138**KEMPTON ON DISCIPLINE**

Recommended discipline imposed

It is ordered that MARTA KEMPTON, State Bar No. 129035, be suspended from the practice of law for one year, that execution of suspension be stayed, and that she be placed on probation for three years on condition that she be actually suspended for 60 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its decision filed July 17, 2007. Credit toward the period of actual suspension shall be given for the period of involuntary inactive enrollment which commenced on November 27, 2006, and ended on January 25, 2007. It is further ordered that she take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S158139**BAJGROWICZ ON DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that JAMES JOSEPH BAJGROWICZ, State Bar No. 49253, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

